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FAX NO.: (703) 305-3718

On AUGUST 10, 2000

TOWNSEND and TOWNSEND and CREW LLP

By: NANCY PIZZO

**AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE -
EXAMINING GROUP 2874**

PATENT

Attorney Docket No.: 00287S-004820US

#30

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

PHILIP S. GREEN

Application No.: 08/709,930

Filed: September 9, 1996

For: **SURGICAL SYSTEM**

Examiner: **GARLAND, S.**

Art Unit: 2786

NOTICE OF APPEAL

BOX: AF

Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

Applicant hereby appeals to the BOARD OF APPEALS AND INTERFERENCES from the Examiner's decision dated July 19, 2000. To facilitate concurrent Interference and Appeal Proceedings for this case, the current Appeal is limited to the rejections of claims 138 and 141. Applicant reserves the right to Appeal the rejections of additional claims after the Interference Proceedings, or if an interference is not initiated concurrently with this Appeal. Applicant notes that per 37 C.F.R. §10607(b), this Appeal is to be conducted with special dispatch.

Please charge the filing fee of \$300.00 for this Appeal to Deposit Account No.

08/14/2000 DFORTE 00000002-201439 08/14/2000 20-1439 of the Undersigned. Please charge any additional fees or credit overpayment to the
01 FC:119 300.00 above Deposit Account. This Notice is submitted in duplicate.

Respectfully submitted,

Mark D. Barrish

Mark D. Barrish
Reg. No. 36,443

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TOWNSEND
and
TOWNSEND
and
CREW
LLP

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Examiner STEVE GARLAND

On AUGUST 10, 2000

TOWNSEND and TOWNSEND and CREW LLP

By: Nancy Pizzo
NANCY A. PIZZO

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From:

MARK D. BARRISH (650) 617-9105 - TEL.

Re: Appl. No.: 08/709,930

Art Unit: 2786

Message:

Please find attached the following document(s):

> **Notice of Appeal**

Mark D. Barrish

Mark D. Barrish
Reg. No. 36,443

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